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13
14 **UNITED STATES DISTRICT COURT**
15 **DISTRICT OF NEVADA**

16 DEVON PRESCOTT, individually and on
17 behalf of all those similarly situated; BROOKE
18 FREEMAN, individually and on behalf of all
those similarly situated,

19 Plaintiffs,

20 vs.

21 SLIDE FIRE SOLUTIONS, LP, a Foreign
22 Corporation; DOE MANUFACTURERS 1 –
23 100, inclusive; and ROE RETAILERS 1- 100,
inclusive,

24 Defendants.
25

CASE NO.: 2:18-cv-00296-GMN-GWF

**STIPULATION AND ORDER TO DEFER
DEFENDANT SLIDE FIRE SOLUTIONS,
LP.'S DEADLINE TO RESPOND TO
PLAINTIFFS' FIRST AMENDED CLASS
ACTION COMPLAINT**

(SECOND REQUEST)

26 Pursuant to LR IA 6-1, Plaintiffs DEVON PRESCOTT and BROOKE FREEMAN
27 (“Plaintiffs”), and Defendant SLIDE FIRE SOLUTIONS, LP (“Defendant”), by and through the
28 parties’ respective counsel, hereby STIPULATE AND AGREE as follows:

1 1. Plaintiffs filed their First Amended Class Action Complaint (the “FAC”) on
2 October 8, 2018 (ECF No. 29).

3 2. On October 19, 2018, this Court granted a Stipulation and Order to Extend and Set
4 Briefing Schedule Regarding Defendant Slide Fire Solutions, L.P.’s Response to Plaintiffs’ First
5 Amended Class Action Complaint (First Request) (ECF No. 32) (the “MTD”).

6 3. Defendant filed its Motion to Dismiss the First Amended Class Action Complaint
7 Pursuant to Rule 12(b)(6) on November 2, 2018 (ECF No. 34). Plaintiffs filed a response to this
8 motion (ECF No. 35) and Defendant filed its reply in support thereof (ECF No. 36).

9 4. On September 26, 2019, this Court entered an Order as to the MTD (ECF No. 58)
10 (the “MTD Order”). In its MTD Order, this Court: (a) dismissed four claims of the FAC with
11 prejudice; (b) dismissed six claims of the FAC without prejudice, with leave to amend; and (c)
12 sustained one claim of the FAC. *See* MTD Order, at 30:16-25.

13 5. Pursuant to Fed. R. Civ. P. 12(a)(4)(A), Defendants’ responsive pleading to the sole
14 remaining claim of the FAC is presently due on or before October 10, 2019.

15 6. Pursuant to the MTD Order, Plaintiffs were granted through October 17, 2019 to
16 file a Second Amended Complaint to address those claims of the FAC which were dismissed
17 without prejudice and with leave to amend.

18 7. Insofar as the deadline for Defendants to respond to the sole remaining claim of the
19 FAC precedes the deadline for Plaintiffs to file a Second Amended Complaint, and further insofar
20 as counsel for Plaintiffs has indicated that Plaintiffs intend to file a Second Amended Complaint
21 on or before October 17, 2019, counsel agree to the following:

- 22 a. The deadline for Defendants to file a responsive pleading to the FAC, if any,
23 shall be extended by and through November 1, 2019.
- 24 b. If Plaintiffs file a Second Amended Complaint on or before October 17, 2019
25 as permitted in the MTD Order, Defendants shall not be required to file a
26 responsive pleading to the FAC; and
- 27 c. If Plaintiffs file a Second Amended Complaint on or before October 17, 2019
28 as permitted in the MTD Order, Defendants shall file a responsive pleading or
 motion to the Second Amended Complaint on or before November 8, 2019.

1 This is the second extension requested in connection with submission of a responsive
2 pleading to the FAC. The purpose of requesting this extension is due to the overlapping deadlines
3 set under the MTD Order and Fed. R. Civ. P. 12(b)(4)(A). An extension of time and possible
4 vacating of the deadline for Defendants to respond to the FAC, based on the filing of a Second
5 Amended Complaint, will conserve judicial and client resources and tailor focused pleadings to
6 the operative pleading that is ultimately presented to this Court for adjudication.

7 For these reasons, the parties respectfully request that this Court approve the foregoing
8 stipulation.

9 DATED this 9th day of October, 2019.

DATED this 9th day of October, 2019.

10 **EGLET PRINCE**

**HOLLEY DRIGGS WALCH FINE
PUZEY STEIN & THOMPSON**

11 /s/ Robert Eglet

/s/ James D. Boyle

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15 **BRADLEY CENTER TO PREVENT GUN
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21
22
23 **ORDER**

24 **IT IS SO ORDERED.**

25 
26 UNITED STATES DISTRICT JUDGE /
27 UNITED STATES MAGISTRATE JUDGE

28 DATED: 10/11/19

CERTIFICATE OF SERVICE

Pursuant to FRCP 5(b), I certify that on the 9th day of October, 2019, I caused the document entitled **STIPULATION AND ORDER TO DEFER DEFENDANT SLIDE FIRE SOLUTIONS, LP.'S DEADLINE TO RESPOND TO PLAINTIFFS' FIRST AMENDED CLASS ACTION COMPLAINT**, to be served as follows:

Attorneys of Record	Parties Represented	Method of Service
Robert T. Eglet, Esq. Robert M. Adams, Esq. Erica D. Entsminger, Esq. EGLET PRINCE 400 South Seventh Street, Suite 400 Las Vegas, Nevada 89101	Plaintiffs Devon Prescott and Brooke Freeman, and all those similarly situated	<input type="checkbox"/> Personal Service <input checked="" type="checkbox"/> Email/E-File <input type="checkbox"/> Fax Service <input type="checkbox"/> Mail Service
Jonathan E. Lowy, Esq. BRADY CENTER TO PREVENT GUN VIOLENCE 840 1 st Street, NE #400 Washington, D.C. 20002	Plaintiffs Devon Prescott and Brooke Freeman, and all those similarly situated	<input type="checkbox"/> Personal Service <input checked="" type="checkbox"/> Email/E-File <input type="checkbox"/> Fax Service <input type="checkbox"/> Mail Service


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